

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

JEDEDIAH TROGSTAD,	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 5:21-CV-110-RWS-JBB
	§	
BOWIE COUNTY CORRECTIONAL	§	
FACILITY, ET AL.,	§	
Defendants.	§	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE**

Jedediah Trogstad, proceeding *pro se*, filed the above-captioned action alleging that his constitutional rights were violated during the pandemic. Docket No. 1. The case was referred to a magistrate judge in accordance with 28 U.S.C. § 636.

Trogstad was ordered to pay an initial partial filing fee of \$19.00, in accordance with 28 U.S.C. § 1915(b) (Docket No. 8) but he failed to comply. In March 2022, the magistrate judge issued a report recommending that the lawsuit be dismissed without prejudice for failure to prosecute or to obey an order of the Court. Docket No. 13. A copy of this report was sent to Trogstad at his last known address, the Miller County Detention Center in Texarkana, Arkansas, but was returned with the notation that Plaintiff had been released in May 2021. Docket No. 14. To date, Trogstad has not advised the Court of his current mailing address, nor has he contacted the Court in any way since November of 2021. *See* Docket No. 11.

Because Plaintiff has not filed objections to the report, the Court reviews the magistrate judge's findings of fact and legal conclusions for plain error. *Duarte v. City of Lewisville, Tex.*, 858 F.3d 348, 352 (5th Cir. 2017). Having reviewed the record, the Court finds that the magistrate judge's report and recommendation are correct. Accordingly, it is

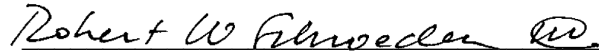
**ORDERED** that the magistrate judge's report (Docket No. 13) is **ADOPTED** as the opinion of the District Court. It is

**ORDERED** that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court. It is further

**ORDERED** that the statute of limitations on the claims in this lawsuit is **SUSPENDED** for a period of 60 days following entry of final judgment. This suspension shall have no effect upon claims already barred by limitations at the time this lawsuit was originally filed; such claims shall remain barred regardless of any suspension of the limitations period. It is finally

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED-AS-MOOT**.

**So ORDERED and SIGNED this 20th day of July, 2023.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE